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REMARKS

JUL 09 2008

The Office Action dated April 10, 2008 has been reviewed and carefully considered. Claims 1-6 and 8-11 remain pending. Claim 7 has been cancelled without prejudice or disclaimer of subject matter. The current independent claims are 1 and 10. Reconsideration of the above-identified application, as amended and in view of the following remarks, is respectfully requested.

As an initial matter, the Examiner has objected to the specification (Paragraph 2 of the Office Action) and claims 7 and 9 (Paragraph 3 of the Office Action) for various informalities. With respect to claim 7 which has been cancelled, this objection is now moot. With respect to the remaining objections, Applicants have made amendments in accordance with the Examiner's suggestions. With these amendments, Applicants believe that the reasons for the Examiner's objections have been overcome. Applicants respectfully request the objections be withdrawn.

Claims 1, 2, 4, 5, 7-9, and 11 stand rejected under 35 USC 102(e) as being anticipated by Isozu, U.S. Patent No. 7,127,496. Claim 3 stands rejected under 35 USC 103(a) as being unpatentable over Isozu in view of Katz, U.S. Patent No. 7,103,906. Claim 6 stands rejected under 35 USC 103(a) as being unpatentable over Isozu in view of Bhagavath, U.S. Patent No. 6,829,781. Claim 10 stands rejected under 35 USC 102(e) as being anticipated by Katz.

Applicant respectfully disagrees with, and explicitly traverses, the Examiner's reason for rejecting these claims.

Claim 1, as amended, recites:

1. A method for transmitting a user-specific program to a user of a program content transmission system comprising:

transmitting a first part of the program content of the program to a first terminal unit of the user;

stopping the program transmission to the first terminal unit in accordance with a pre-determined procedural sequence when a first defined event occurs; and,

transmitting a second part of the program content to a second terminal unit of the user when a second defined event occurs, to continue the program transmission in accordance with a predetermined procedural sequence;

wherein the user-specific program and/or the program content are adapted before the continuation of the transmission to the second terminal unit.

As recited in his Abstract Isozu et al. relates to:

A system capable of switching terminals while continuously receiving data on terminals monitored by a relay device such as a gateway. In devices such as a gateway for relaying data, the session status of the terminal under control is monitored and the relay processing status of data received externally over a network is changed according to requests such as pause, list, resume and call from a terminal, and the dynamic data address is changed or the relay of data is temporarily halted (pause). The present structure allows the user (client) to change the terminal receiving the data and change the receive processing status so that data can be continuously received on the terminal used after switching terminals.

Isozu teaches a means to resume transmission of a data stream when the receiving user terminal is changed. However, Isozu fails to address the feature of wherein the user-specific program and/or the program content are adapted before the continuation of the transmission to the second terminal unit. This feature was originally contained in claim 7 of the present invention. In the Office Action, the Examiner points to col. 12, lines 4-36 of Isozu as teaching this feature. This section of Isozu merely shows the mechanism whereby transmission of the data was resumed with terminal B as the new receiving terminal. It merely relates to processing an address change, and in particular: “As a result, **the stream data** [emphasis added] that terminal A, 720 had received via the gateway 710 is received (Process (7) of FIG. 12) continuously by the terminal B, 730” (col. 12, lines 34-36).

A claim is anticipated only if each and every element recited therein is expressly or inherently described in a single prior art reference. Isozu cannot be said to anticipate claim 1 of the present invention, because Isozu fails to disclose each and every element recited. As shown, Isozu fails to disclose the limitation that “the user-specific program and/or the program content are adapted before the continuation of the transmission to the second terminal unit” as is recited in claim 1.

Having shown that Isozu fails to disclose each and every element claimed, Applicants submit that the reason for the Examiner's rejection of claim 1 has been

overcome and can no longer be sustained. Applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of claim 1.

With regard to claim 10 of the present invention, Applicants have amended this claim to contain the same feature discussed above with respect to claim 1, that is, "the user-specific program and/or the program content are adapted before the continuation of the transmission to the second terminal unit." While Katz does discuss "delivering the media to the second client device in a format compatible with the identified device properties for the second client device" (Abstract), Katz fails to teach modifying the program content as claimed in claim 10 of the present invention.

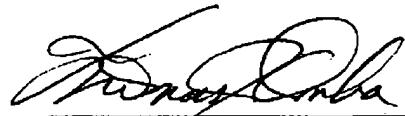
As Katz fails to disclose each and every element claimed, Applicants submit that the reason for the Examiner's rejection of claim 10 has been overcome and can no longer be sustained. Applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of claim 10.

With regard to claims 2-6, 8, 9 and 11, these claims ultimately depend from one of the independent claims, which have been shown to be not anticipated and allowable in view of the cited references. Accordingly, claims 2-6, 8, 9 and 11 are also allowable by virtue of their dependence from an allowable basic claim.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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